

1	IN THE UNITED STATES DISTRICT COURT	Page 3
2	NORTHERN DISTRICT OF GEORGIA	
3	ATLANTA DIVISION	
4	JUAN PEREZ,	
5	Plaintiff,	
6	CIVIL ACTION FILE	
7	vs.	
8	NO. 1:16-cv-00902-SCJ	
9	COBB COUNTY and THOMAS	
10	BASTIS, in his individual	
11	and official capacities,	
12	Defendants.	
13	/	
14	*CONFIDENTIAL*	
15	VIDEOTAPED DEPOSITION OF	
16	JUAN ENRIQUE PEREZ ASTUDILLO	
17	January 30, 2018	
18	10:06 a.m.	
19	2719 Buford Highway, NE	
20	Atlanta, Georgia 30324	
21	Stephanie J. Heisey, CCR, B-1222	
22		
23		
24		
25		

1	APPEARANCES OF COUNSEL:	Page 2
2	On behalf of the Plaintiff:	
3	DRE TENNILLE, ESQ.	
4	Ken Hodges Law	
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9	H. MADDOX KILGORE, ESQ.	
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15	On behalf of the Defendant Thomas Bastis:	
16	GEORGE M. WEAVER, ESQ.	
17	Hollberg & Weaver, LLP	
18	2921 Piedmont Road, NE	
19	Suite C	
20	Atlanta, Georgia 30305	
21	404-760-1116	
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23	Also Present:	
24	Thomas Bastis	
25	Jenna Edmunds, Videographer	
1	Deposition of Juan Enrique Perez Astudillo	Page 4
2	January 30, 2018	
3	(Videotape recorder was turned on.)	
4	THE VIDEOGRAPHER: We are on the record.	
5	Today's date is January 30th, 2018 and the time	
6	is approximately 10:06 a.m. This will be the	
7	videotaped deposition of Juan Perez. Will the	
8	attorneys present please state their name and	
9	whom they represent.	
10	MR. WEAVER: George Weaver for Defendant Tom	
11	Bastis.	
12	MR. KILGORE: Maddox Kilgore for the	
13	Plaintiff.	
14	MR. TENNILLE: Dre Tennille for the	
15	Plaintiff.	
16	THE VIDEOGRAPHER: Will the court reporter	
17	please swear in the witness.	
18	JUAN ENRIQUE PEREZ ASTUDILLO,	
19	being produced and first duly sworn as a witness,	
20	testified as follows:	
21	MR. WEAVER: Mr. Perez, you need to put that	
22	mic on. Over. Microphone out.	
23	THE WITNESS: I don't know how to change --	
24	MR. WEAVER: Can you help him.	
25	THE VIDEOGRAPHER: Yeah.	

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1	Q Do you know whether Detective Bastis, seated	1 penis?
2	here, interviewed Dr. Asia Gifford from the Medlin	2 A No.
3	Treatment Center?	3 Q But you don't know what Giselle told
4	A No.	4 Dr. Gifford; correct?
5	Q So you don't know what Dr. Gifford would	5 A No.
6	have told Mr. Bastis; correct?	6 Q Is that correct?
7	A No.	7 A (Witness nods head.)
8	Q You don't know; is that correct?	8 Q Is that --
9	A No.	9 A I don't.
10	Q That's correct?	10 Q What I said is correct. You don't know what
11	A Yes.	11 she said to Dr. Gifford?
12	Q Do you know whether in January of 2014 after	12 A I don't know what she said.
13	Dr. Gifford had seen -- provided therapy to Giselle	13 Q Okay. Do you think that sometimes you were
14	for some 16 months or 17 months that -- do you know	14 too familiar with your daughter in terms of touching
15	whether Dr. Gifford told Detective Bastis that she	15 her when she was four years old?
16	believed that Giselle had been abused or molested. Do	16 A The only thing can I know I take care for my
17	you know whether that happened?	17 daughter like any other father take care of their own
18	A No.	18 child.
19	Q Do you know whether Giselle, your daughter,	19 Q Okay. So here's my question. When you look
20	told Dr. Gifford at Medlin Treatment Center that she	20 back at this when your daughter was four years old and
21	would wrestle with your -- with you on the bed when	21 she would visit with you after the divorce, do you
22	both of you were nude?	22 think that maybe you were too casual or familiar in
23	A No.	23 touching her?
24	Q Do you know whether Giselle told Dr. Gifford	24 A I'm touching her like a normal father.
25	that when that happened she could feel your penis?	25 Q So your answer is you don't think you were

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1	A No.	1 too casual --
2	Q Okay. You don't know what she told her?	2 A No.
3	A No.	3 Q -- or familiar?
4	Q Did that happen?	4 A No.
5	A No.	5 Q All right. I take it you would agree that
6	Q Did you wrestle naked with your daughter --	6 it would not have been appropriate for a father to
7	A No.	7 show himself nude in front of his
8	Q -- on the bed when she was four?	8 four-or-five-year-old daughter. Would you agree with
9	A No.	9 that?
10	Q Or five?	10 A I agree.
11	A No. No, I left.	11 Q You agree?
12	Q Okay. When she was four?	12 A No.
13	A I have not had contact with Giselle after	13 Q You think it's okay?
14	2012.	14 A You changed the question.
15	Q Well when she was four you were still having	15 Q Let me ask it again.
16	contact.	16 A Okay.
17	A I don't have.	17 Q If a father has a daughter who's four or
18	Q Well she turned four in February 2012.	18 five years old, would you agree that that father
19	A Yes.	19 should not show himself naked in front of that child?
20	Q You continued to see her until July 2012.	20 A Should not be shown naked.
21	A Yes.	21 Q Should not?
22	Q So during that period did you ever wrestle	22 A Should not.
23	naked with your daughter --	23 MR. WEAVER: Okay. Well we can take a
24	A No.	24 lunch break. Then I think I can finish up pretty
25	Q -- on the bed? Did you let her feel your	25 quickly after lunch.

<p>1 Q Do you recall being told by Detective 2 Largent that Giselle had an irritation in her genital 3 area?</p> <p>4 A Yes.</p> <p>5 Q Did you ever see that or a rash or anything?</p> <p>6 A No, no.</p> <p>7 Q Now when you would -- when Giselle would 8 sleep in the bed with you, did she have clothes on?</p> <p>9 A Yes.</p> <p>10 Q Did you have clothes on?</p> <p>11 A Yeah. Yes.</p> <p>12 Q And while you were sleeping in the bed with 13 her, was she touching your body or you touching her 14 body?</p> <p>15 A No.</p> <p>16 Q Okay. Do you recall telling Detective 17 Largent that when she would sleep she had to have one 18 hand or leg touching my body. Do you remember telling 19 her that?</p> <p>20 A Yeah. She touched my head.</p> <p>21 Q Your head?</p> <p>22 A Yeah.</p> <p>23 Q What about the rest your body?</p> <p>24 A No, just the head.</p> <p>25 MR. KILGORE: George, I'm going to ask if</p>	<p>Page 57</p> <p>1 Q Is that yes?</p> <p>2 A Yes.</p> <p>3 Q On the statements you gave -- now you never 4 made a statement to Detective Bastis; right? You 5 asked for a lawyer when he tried to interview; 6 correct?</p> <p>7 A Yes.</p> <p>8 Q Okay. Who was your lawyer at that time?</p> <p>9 A I don't have a lawyer.</p> <p>10 Q But you asked for a lawyer?</p> <p>11 A Yes.</p> <p>12 Q Then who was your criminal defense attorney?</p> <p>13 A The state provided me one.</p> <p>14 Q Okay. Did Mr. Kilgore end up defending you?</p> <p>15 A Who defended me is Carlos Rodriguez.</p> <p>16 Q Carlos Rodriguez who's with his office I 17 believe. Do you know whether your daughter, Giselle 18 Perez, began around August or September of 2012 to see 19 a psychologist at the Medlin, M-E-D-L-I-N, Treatment 20 Center?</p> <p>21 A I have no idea.</p> <p>22 Q Have you ever heard of a psychologist there 23 named Asia Gifford, G-I-F-F-O-R-D?</p> <p>24 A I not sure who's -- who have called me when 25 I'm in Chile to -- somebody have -- somebody -- a</p>
<p>1 you would do us a favor, please, and refer to a 2 specific interview with Detective Largent. We 3 requested the recordings of the initial interview 4 between Largent and Mr. Perez and we have been 5 denied -- denied those recordings.</p> <p>6 MR. WEAVER: I've given -- we've given you 7 all the recordings we have. The one I'm 8 referring to is June 29th, 2012 which you've been 9 furnished I believe.</p> <p>10 MR. KILGORE: Okay.</p> <p>11 MR. WEAVER: That's the only one I have.</p> <p>12 BY MR. WEAVER:</p> <p>13 Q Is it your understanding, Mr. Perez, that at 14 some point after the allegations were made by Amanda 15 and Aida Perez about the bathing activity that there 16 was another allegation that was made that Giselle said 17 you had touched your mouth to her bottom when she was 18 naked. Do you recall hearing that that was an 19 allegation?</p> <p>20 A It's not true. It's not.</p> <p>21 Q But did you hear that that allegation was 22 stated?</p> <p>23 A Yes.</p> <p>24 Q Okay. And you said that's not true?</p> <p>25 A Yeah.</p>	<p>Page 58</p> <p>1 doctor there to come to have my psychology -- I don't 2 know how you explain how you say.</p> <p>3 Q A psychologist?</p> <p>4 A Yes.</p> <p>5 Q So a psychologist was going to interview 6 you?</p> <p>7 A Yes.</p> <p>8 Q And that never happened?</p> <p>9 A I cannot remember it's this person or not.</p> <p>10 Q Okay. Do you know the name Larea, 11 L-A-R-A-E, Williams? Another counselor at Medlin 12 Treatment Center.</p> <p>13 A No.</p> <p>14 Q Do you know whether after Giselle started 15 seeing a psychologist at the Medlin Treatment Center, 16 this would be in 2012, that she reported that she was 17 having nightmares?</p> <p>18 A I have no idea.</p> <p>19 Q Okay. Do you know whether Giselle told Asia 20 Gifford, a psychologist at the Medlin Treatment 21 Center, that you had put your face in her bottom when 22 she was naked?</p> <p>23 A I don't have no idea about this.</p> <p>24 Q Okay. Do you know whether in March of 2013 25 after you had gone back to Chile that Aida Perez,</p>

1 Giselle's grandmother, reported that Giselle's
 2 teacher -- this is a report to the Medlin Treatment
 3 Center -- reported that Giselle had been acting out
 4 sexually at school for two months at that time?

5 A I have no idea.

6 Q Do you know whether the grandmother reported
 7 to the Medlin Treatment Center, Dr. Gifford, that
 8 Giselle's teacher said that she had been cuddling up
 9 to another boy, hugging boys during play time, putting
 10 her head in a boy's lap. Do you know whether
 11 Giselle's teacher reported that to Aida and Amanda
 12 Perez?

13 A I have no idea.

14 Q Do you know whether the grandmother Asia --
 15 I'm sorry -- Ada -- or Aida Perez reported in June of
 16 2013 that -- and this is when the child was five years
 17 old -- that the child said or asked if the grandmother
 18 had hair on her belly. And then said that her father
 19 which she called Pappy has hair on his belly. Do you
 20 know if that happened?

21 A No.

22 Q And then do you know whether the grandmother
 23 reported to Dr. Gifford at Medlin Treatment Center
 24 that she knew that you had hair on your belly because
 25 you showed it to her. And then Giselle pointed to her

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1 thinking about when her father, that's you, did this
 2 to her and Giselle said she enjoyed it and wanted the
 3 grandmother to do it. Do you know whether that
 4 happened?

5 A No.

6 Q Did you ever do that?

7 A No.

8 Q Even in a playful way did you ever put your
 9 face in her genital area or her rear end?

10 A No.

11 Q Okay. But you don't know what Giselle said
 12 to other people, correct?

13 A No.

14 Q Do you know whether Giselle in October 2013
 15 told the Medlin Treatment Center that when she thought
 16 about your father -- her father touching her, she felt
 17 mad and she dreamed about it. Do you know whether
 18 that happened?

19 A No.

20 Q Do you know whether Amanda -- did she get
 21 remarried after the divorce?

22 A I don't know.

23 Q Okay. Do you know if she's married to
 24 somebody else today?

25 A I don't know.

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1 belly and below her belly as being the place where you
 2 had hair. Do you know if that happened?

3 A No.

4 Q Do you know whether Giselle reported to the
 5 Medlin Treatment Center, Dr. Gifford and the other
 6 therapists there that -- and this was in June of
 7 2013 -- that previously when she had been with you
 8 that you had allowed Giselle to watch you urinate?

9 A No. Never heard that.

10 Q And that when you urinated she saw the hair
 11 on your -- in your pee pee area and on your belly. Do
 12 you know whether Giselle said that?

13 A No.

14 Q Did that happen?

15 A No, of course not.

16 Q But you don't know what Giselle said?

17 A No.

18 Q All right. Do you know whether -- also in
 19 June of 2013 Giselle asked her grandmother, Aida
 20 Perez, to put her nose in Giselle's vaginal or genital
 21 area. Do you know whether she did?

22 A No idea.

23 Q No idea?

24 A No.

25 Q Okay. And then Giselle said that she was

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1 Q You have no contact with her?

2 A No.

3 Q Do you know whether Amanda at one point had
 4 a boyfriend named Ahmad, A-H-M-A-D?

5 A No.

6 Q Do you know whether Giselle told people at
 7 the Medlin Treatment Center, Dr. Gifford and others,
 8 that Ahmad, Amanda's boyfriend, doesn't do what my old
 9 dad did. That would be you. Which Giselle said was
 10 look at her private parts. Do you know whether
 11 Giselle said that?

12 A No.

13 Q Have you ever filed bankruptcy?

14 A No.

15 Q Have you ever filed in any country --

16 A No.

17 Q -- the equivalent of bankruptcy that we have
 18 here?

19 A No.

20 Q Have any of your creditors, people that you
 21 owed money to, have they ever sued you to get the
 22 money back?

23 A I don't know, no.

24 Q Not that you know of?

25 A (Witness shakes head.)